



MUNICIPAL CLERK
ATLANTA, GEORGIA

04-R-0579

A RESOLUTION

BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Jorge E. & Cecilia Arana** in the sum of **\$2,556.77** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of an automobile accident on February 3, 2004 at 1326 Swims Valley Drive, NW** as set forth in the within claim; said sum taken from and charged to Account 2P01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rionda Daughin Johnson
Municipal Clerk

ADOPTED by the Council
APPROVED by the Mayor

April 19, 2004
April 27, 2004

RCS# 5585
4/19/04
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-18, EXCEPT:04-R-0538
 04-O-0487 04-R-0473
 ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0145

Date: March 16, 2004

Claimant /Victim JORGE E. AND CECILIA ARANA

BY: (Atty) (Ins. Co.) _____

Address: 880 Melody Lane Roswell, Georgia 30075

Subrogation: _____ Claim for Property damage \$ 2,556.77 Bodily Injury \$ _____

Date of Notice: 02/19/04 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/03/04 Place: 1326 Swims Valley Drive, NW

Department Public Works Bureau: Solid Waste Division: _____

Employee involved Kenneth Brooks Disciplinary Action: Five day suspension

NATURE OF CLAIM: The driver of a city vehicle backed into the claimants' parked vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant X Others _____ Written X Oral _____

Pictures X Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 2,556.77 Adverse _____ Account charged: 1A01 _____ 2J01 _____ 2P01 X

Claims Manager: [Signature] Concur/date 03/17/04

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 02-16-2004

ENTERED - 3-1-04 - SB
04L0145 - LISA CARTER

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2,474.62 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 02-03-2004 (month/day/year) 2. Time of Incident: 10:15 3. Police called: X Yes No

4. Location of incident (including street address): 1326 Swims Valley Dr NW

5. Name of your insurance company: PROGRESSIVE Policy No. 41324819-3

6. State what and how incident occurred: My car was parked outside of the house (#1326). The garbage truck came to pick up the trash and when backing out, crashed into the left back side of my Grand Jeep Cherokee.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Jeep CHEROKEE 2001 936 YCX Cecilia ARANA
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: 1995 DEMPSTER REAR Brooks KENNETH Sanitation
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. Claims must be received within 6 months of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Cecilia
Signature of Claimant

Cecilia ARANA

(Print Claimant's Name)

880 Melody Lane

(Address)

Roswell G.A. 30075

(City, State and Zip Code)

(Work Number)

(7) 643 1738

(Home Number)

(4) 255 3427

(678) 773 7767

04-R -0579

ADOPTED BY
APR 19, 2004
COUNCIL

Entered - 03/01/04 - sb
CL - 04L0145 - LISA CARTER

CLAIM OF: JORGE E. AND CECILIA ARANA
880 Melody Lane
Roswell, Georgia 30075

04-*R*-0579

For damages alleged to have been sustained as a result of an automobile accident on February 3, 2004 at 1326 Swims Valley Drive, NW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **JORGE E. AND CECILIA ARANA** the sum of **\$2,556.77** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on February 3, 2004 at 1326 Swims Valley Drive, NW and as is more particularly set forth in the within claim; said sum taken from and charged to account 2P01/529017/T31001.

CERTIFIED
APR 19 2004
Municipal Clerk

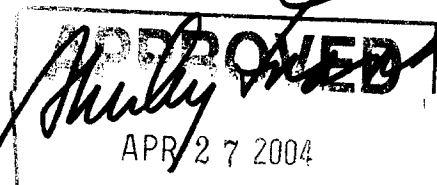
APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 3/30/04
CHAIR: [Signature]
[Signature]
[Signature]
[Signature]
[Signature]

ADOPTED BY
APR 19 2004
COUNCIL


APR 27 2004
MAYOR

CERTIFIED
APR 19 2004
COUNCIL PRESIDENT PROTEM